

SECTION 5
ADMINISTRATIVE REQUIREMENTS
ADDENDUM 2

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SECTION 5 ADMINISTRATIVE REQUIREMENTS

5.1 INTRODUCTION

In addition to meeting all the other requirements of this RFP, the Bidder must adhere to all of the requirements of this section to be responsive. All requirements are Mandatory and will be scored on a pass/fail basis. Answering "No" to any of these requirements (M) will result in a Bid being deemed non-responsive and, therefore, will be disqualified. Section 9, Evaluation, contains the details for the evaluation methodology and scoring criteria.

5.2 BIDDER RESPONSE FORMAT

Bidders' responses to the requirements in this section are required as part of the proposal. Bidders must provide a response to each requirement. After each requirement, Bidders must respond in the following format:

Bidder agrees to all terms of this section? Yes_____No_____

Bidders shall check either "Yes" or "No" in response to the question "Bidder understands and agrees to meet or exceed all of the Requirements as stated above?"

"Yes" indicates that the Bidder understands the Requirement as stated in the RFP and shall comply with the Requirement.

"No" indicates that the Bidder either does not understand the Requirement and therefore cannot assure its compliance, or does understand the Requirement but does not plan to comply with it.

Note: A "No" response to a Mandatory Requirement in the Final Proposal will disqualify the Bidder from award.

5.3 BIDDER RESPONSIBILITY

Prior to award of the MPA, the State must be assured that the Bidders selected have all of the resources to successfully perform under the MPA. These resources include, but are not limited to, adequate personnel who possess the required skills; equipment of appropriate type and in sufficient quantity; financial resources sufficient to complete performance under the MPA; and, experience in similar endeavors. If, during the evaluation process, the State is unable to ensure itself of the Bidder's ability to perform under the MPA, the State has the option of requesting from the Bidder any information that the State deems necessary to determine the Bidder's ability. If such information is required, the Bidder will be so notified and will be permitted five (5) State business days to submit the information requested in writing.

Bidder agrees to all terms of this section? Yes_____No_____

5.4 INSURANCE REQUIREMENTS

5.4.1 WORKERS' COMPENSATION

Each participating bidder must certify that it is aware of the provisions of Section 3700 of the California Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that Code, and will comply with such provisions before commencing with the performance of work resulting from this MPA. A Workers' Compensation Certification must be completed and submitted with an original signature with the bidder's final proposal. See Exhibit 5-A.

Bidder agrees to all terms of this section? Yes____No____

5.4.2 COMMERCIAL GENERAL LIABILITY

The Bidder shall maintain general liability with limits of not less than \$1,000,000 per occurrence for bodily injury and property damage liability combined. The policy shall include coverage for liabilities arising out of premises, operations, independent contractors, products, completed operations, personal and advertising injury, and liability assumed under an insured agreement. This insurance shall apply separately to each insured against whom a claim is made or suit is brought, subject to the Bidder's limit of liability. The Bidder shall agree to furnish the State satisfactory evidence thereof at any time the State may so request.

Bidder agrees to all terms of this section? Yes____No____

5.4.3 ADDITIONAL REQUIRED INSURANCE PROVISIONS

1. Insurance companies must be acceptable to the Department of General Services. If self-insured, review of financial information may be required.
2. Coverage shall be in force for the term of the MPA. If the insurance expires during the term of the MPA, a new certificate must be received by the State at least 10 calendar days prior to the expiration of the insurance. Any changes in insurance must still meet the terms of the original MPA.
3. Insurance policies shall contain a provision that states the coverage will not be cancelled without 30 calendar days prior written notice to the State.
4. Contractors are responsible for any deductible or self-insured retention contained within the insurance program.
5. In the event the Contractor fails to keep in effect at all times the specified insurance coverage, the State may, in addition to any other remedies it may have, terminate the MPA upon the occurrence of such event, subject to the provisions of the MPA.

Bidder agrees to all terms of this section? Yes____No____

5.5 CONFIDENTIALITY

Contractors engaging in IT services for or with the State, requiring them to come into contact with confidential State information, will be required to exercise all security precautions, including the signing of a Confidentiality Statement. Contractors must provide written instruction to their employees concerning the safeguarding of exposure of such information. See Exhibit 5-B.

Bidder agrees to all terms of this section? Yes_____No_____

5.6 BOND REQUIREMENT

Bidders may be required by the user agency to submit **proof** of Bondability from a surety admitted in California, which states the surety unconditionally offers to guarantee **up to value of an individual project**, the Bidder's performance in all respects of the terms and conditions and provisions of this MPA.

Bidder agrees to all terms of this section? Yes_____No_____

5.7 DISABLED VETERAN BUSINESS ENTERPRISE (DVBE) INCENTIVE

5.7.1 AUTHORITY

The Disabled Veteran Business Enterprise (DVBE) Participation Goal Program for State contracts is established in Public Contract Code (PCC), §10115 et seq., Military and Veterans Code (MVC), §999 et seq., and California Code of Regulations (CCR), Title 2, §1896.60 et seq. **Certification as a DVBE or use of a DVBE subcontractor is encouraged but not mandatory for this MPA.** However, a DVBE incentive will be given to bidders who provide DVBE participation (see DVBE BID INCENTIVE below and Section 9).

5.7.2 INTRODUCTION

The bidder must complete the identified form to claim this solicitation's DVBE program incentive.

Information submitted by the intended awardees to claim the DVBE incentive will be verified by the State. If evidence of an alleged violation is found during the verification process, the State shall initiate an investigation, in accordance with the requirements of the PCC §10115, et seq., and MVC §999 et seq., and follow the investigatory procedures required by the 2 CCR §1896.80. Contractors found to be in violation of certain provisions may be subject to loss of certification, penalties and/or contract termination.

Only State of California, Office of Small Business and DVBE Services (OSDS), certified DVBEs who perform a commercially useful function relevant to this solicitation, may be used to satisfy the DVBE program incentive. The criteria and definition for performing a commercially useful function are contained in Exhibit 5-C, Resources & Information. Bidders are to verify each DVBE subcontractor's certification with OSDS to ensure DVBE eligibility.

PLEASE READ ALL INSTRUCTIONS CAREFULLY. These instructions contain information about the DVBE program, bidder responsibilities, and the DVBE Bid Incentive. Bidders are responsible for thorough review and compliance with these instructions.

5.7.3 DVBE PARTICIPATION COMMITMENT

To receive the DVBE program incentive, bidders must complete and fully document compliance with the following:

Commitment to DVBE participation - For a bidder who is a DVBE or who is able to meet the commitment to use identified certified DVBE(s) as subcontractor(s) to fulfill the DVBE participation for the incentive.

OPTIONAL COMMITMENT – Optional commitment to meet or exceed the DVBE participation to obtain the incentive in this solicitation by either Method A1 (bidder is a California certified DVBE), or A2 (bidder is not a California certified DVBE). Bidders must document DVBE participation commitment by completing and submitting the Bidder Declaration (GSPD-05-105).

To access the Bidder Declaration (GSPD-05-105) go to the following link:

<http://www.documents.dgs.ca.gov/pd/poliproc/MASTER-BidDeclar08-09.pdf>

At the State's option prior to award of the contract, a written confirmation from each DVBE subcontractor identified on the Bidder Declaration must be provided. As directed by the State, the written confirmation must be signed by the bidder and/or the DVBE subcontractor(s). The written confirmation may request information that includes but is not limited to the DVBE scope of work. If further verification is necessary, the State will obtain additional information to verify compliance with the above requirements.

5.7.3.1 Method A1. Certified DVBE Bidder

- a. Commit to performing at least 3% of the contract bid amount (unless otherwise specified) with the prime bidder's firm or in combination with another DVBE(s).
- b. Document DVBE participation on the Bidder Declaration GSPD-05-105.

- c. At the State's option a DVBE bidder working in combination with other DVBE(s) shall submit proof of its commitment by submitting a written confirmation from the DVBE(s) identified as a subcontractor on the Bidder Declaration.

When requested, the document must be submitted to the address or facsimile number specified and within the timeframe identified in the notification. Failure to submit the written confirmation as specified may be grounds for bid rejection.

5.7.3.2 Method A2. Non-DVBE Bidder

- a. Commit to using certified DVBE(s) for at least 3% (unless otherwise specified) of the bid amount.
- b. Document DVBE participation on the Bidder Declaration GSPD-05-105.
- c. At the State's option prior to contract award, a bidder is to submit proof of its commitment by submitting a written confirmation from each DVBE identified as a subcontractor on the Bidder Declaration GSPD-05-105. The awarding department contracting official named in the solicitation may contact each listed DVBE, by mail, email, fax or telephone, for verification of the bidder's submitted DVBE information. When requested, the document must be submitted to the address or facsimile number specified and within the timeframe identified in the notification. Failure to submit the written confirmation as specified may be grounds for bid rejection.

5.7.4 LOCATING DVBE SUBCONTRACTORS

THE FOLLOWING MAY BE USED TO LOCATE DVBE SUPPLIERS

5.7.4.1 Awarding Department:

Contact the department's contracting official named in this solicitation for any DVBE suppliers who may have identified themselves as potential subcontractors, and to obtain suggestions for search criteria to possibly identify DVBE suppliers for the solicitation.

5.7.4.2 State

Access the list of all certified DVBEs by using the Department of General Services, Procurement Division (DGS-PD), online certified firm database at www.eprocure.dgs.ca.gov.

To begin your search, click on "Small Business and Disabled Veteran Business Enterprise Services," then click "SB/DVBE Search." Search by "Keywords" or "United Nations Standard Products and Services Codes (UNSPSC) that apply to the elements of work you want to subcontract to a

DVBE. Check for subcontractor ads that may be placed on the California State Contracts Register (CSCR) for this solicitation prior to the closing date. You may access the CSCR at: www.eprocure.dgs.ca.gov. For questions regarding the online certified firm database and the CSCR, please call the OSDS at (916) 375-4940 or send an email to: OSDCHelp@dgs.ca.gov.

5.7.4.3 Federal

Search the U.S. Small Business Administration's (SBA) Central Contractor Registration (CCR) on-line database at www.ccr.gov/ to identify potential DVBEs and click on the "Dynamic Small Business Search" button. Search options and information are provided on the CCR Dynamic Small Business Search site. First time users should click on the "help" button for detailed instructions.

5.7.4.4 Local

Contact local DVBE organization to identify DVBEs. For a list of local organizations select:

<http://www.documents.dgs.ca.gov/pd/smallbus/RefOrg.pdf> (New 11/10) (pdf).

5.7.5 DVBE BID INCENTIVE

In accordance with Section 999.5(a) of the Military and Veterans Code an incentive will be given to bidders who provide DVBE participation. For evaluation purposes only, the State shall apply an incentive to bids that propose California certified DVBE participation as identified on the Bidder Declaration GSPD-05-105 and confirmed by the State. See Exhibit 5-C for Resources and Information.

Confirmed DVBE Participation of:	DVBE Incentive:
5% or Over	50 points
4% to 4.99% inclusive	40 points
3% to 3.99% inclusive	30 points
2% to 2.99% Inclusive	20 points
1% to 1.99% Inclusive	10 points

Bidder agrees to all terms of this section? Yes_____No_____

5.8 SMALL BUSINESS PREFERENCE

There are several preferences given to contractors who can meet certain requirements. These preferences are each identified below. If the bidder satisfies the requirements and is asking for evaluation preferences, the bidder must clearly identify in the bid which of the preferences it qualifies for and that the bidder is requesting the appropriate preferences.

5.8.1 NON-SMALL BUSINESS SUBCONTRACTOR PREFERENCE

A 50 point preference is available to a non-small business claiming 25% California-certified small business subcontractor participation **for each service Category requested**. If applicable, the bidder must submit a corresponding letter claiming the preference. Dollar amounts must not be included on these forms, as that may be cause for rejection of the bid.

If claiming the non-small business subcontractor preference, the proposal response must include a list of the small business(es) with which the Bidder commits to subcontract in an amount of at least twenty-five percent (25%) of the net bid price with one or more California Certified Small Businesses. Each listed certified small business must perform a “commercially useful function” in performance of the contract as defined in Government Code Section 14837(d)(4).

To access the Bidder Declaration (GSPD-05-105) go to the following link:

<http://www.documents.dgs.ca.gov/pd/poliproc/MASTER-BidDeclar08-09.pdf>

The required list of California Certified Small Business subcontractors must be attached to the proposal response and must include the following: 1) Subcontractor name, 2) address, 3) phone number, 4) description of the work to be performed and/or products supplied, 5) and percentage of the net proposal price (as specified in the solicitation) per subcontractor.

5.8.2 SMALL BUSINESS PREFERENCES

Bidders claiming the preference must be certified by California as a small business. Questions regarding certification should be directed to the Office of Small Business and DVBE Services at (916) 375-4940.

Small Businesses are desired and encouraged to participate in this RFP. Section 14835, et seq, of the California Government Code requires a preference be given to bidders who qualify as a small business. The rules and regulations of this law, including the definition of a small business for the delivery of goods and services, are contained in California Code of Regulations, Title 2, Section 1896, et seq. The small business preference is for California-based small businesses.

To claim the small business preference, which may not exceed \$50,000 for any proposal, the firm must have its principal place of business located in California, have a complete application (including proof of annual receipts) on file with the OSDS by 5:00 p.m. on the Final Proposal due date and be verified by such office. Questions regarding the preference approval process should be directed to the OSDS at (916) 375-4940.

A copy of the regulations, instructions and format for claiming the small business preference is available at:

<http://www.dgs.ca.gov/pd/Programs/OSDS/GetCertified.aspx>.

The bidder understands all terms of this section? ____ YES ____ NO

I am claiming a Small Business Preference and I've attached the required documentation: ____ YES ____ NO

5.9 CONTRACTOR'S LICENSE

Contractors and/or Subcontractors performing cable and/or wiring installation work or structural modifications for the State are required to have the appropriate State Contractor's License. The License must be in the name of the company or the name of the "qualifying individual" of the company. Bidders are to complete Exhibit 5-D, Contractor's License Information.

The Contractor shall pay the rate of wages for regular, overtime, and holiday work plus employer payments for benefits generally prevailing in the locality in which the work is performed, for all crafts, classifications or types of workmen used on State premises at the point of delivery by the Contractor for the assembly and installation of material purchased under this contract.

A Bid that does not contain the above information, or if the information is later proven false, shall be considered non responsive and rejected by the State.

5.10 CERTIFICATION OF USE TAX COLLECTION FOR SELLER'S PERMIT

This RFP is subject to all requirements set forth in Sections 6452, 6487, 7101 and 18510 of the Revenue and Taxation Code, and Section 10295 of the Public Contract Code, requiring suppliers to provide a copy of their retailer's seller's permit or certification of registration, and, if applicable, the permit or certification of all participating affiliates issued by the State of California's Board of Equalization. Unless otherwise specified in this RFP, a copy of the retailer's seller's permit or certification of registration, and, if applicable, the permit or certification of all participating affiliates must be submitted within five (5) State business days of the State's request. Failure of the Bidder to comply by supplying the required documentation will cause the Bidder's Bid to be considered non-responsive and the Bid rejected. See Exhibit 5-E, Certificate of Use Tax Collection for Seller's Permit.

5.11 TARGET AREA AGREEMENT PREFERENCE ACT (TACPA)

Preference will be granted to the California-based Bidders in accordance with Government Code section 4530 whenever agreements for goods and services are in excess of \$100,000 and the Bidder meets certain requirements, as defined in the California Code of Regulations (Title 2, section 1896.30), regarding labor needed to produce the goods or provide the services being procured. Bidders desiring to claim TACPA shall complete Std. Form 830 and submit it with the Final Bid. Refer to the following website link to obtain the appropriate form:

www.documents.dgs.ca.gov/osp/pdf/std830.pdf

5.12 ENTERPRISE ZONE ACT (EZA)

Government Code section 7080, et. seq., provides that California based companies may be granted preferences when submitting Bids on State agreements in excess of \$100,000 for goods and services (excluding construction agreements), if the business site is located within designated "Enterprise Zones" (see Std. Form 831). Bidders desiring to claim this preference must submit a fully executed copy of Std. Form 831 with their Final Bid. Bidders proposing to perform the MPA in a designated enterprise zone are required to identify such site(s) on the Std. Form 831. Failure to identify a site(s), which qualifies as an enterprise zone, will result in denial of the claimed preferences. Refer to the following website link to obtain the appropriate form:

www.documents.dgs.ca.gov/osp/pdf/std831.pdf

A Bidder that has claimed an EZA preference, and is awarded the MPA based on such preference(s), will be obligated to perform the MPA in accordance with the Act.

5.13 LOCAL AGENCY MILITARY BASE RECOVERY AREA ACT (LAMBRA)

The LAMBRA bidding preference is used for Bid solicitation purposes only, to a maximum of \$50,000. The preference does not alter the amount of the resulting MPA (Government Code, section 7118 et. seq., and California Code of Regulations, Title 2, Section 1896, 100 et. seq.). Bidders desiring to claim this preference must submit a fully executed copy of STD. Form 832 with their Final Bid. Refer to the following website link to obtain the appropriate form:

www.documents.dgs.ca.gov/osp/pdf/std832.pdf

5.14 BIDDER'S SUMMARY OF CONTRACT ACTIVITIES AND LABOR HOURS

If the Bidder requests TACPA, EZA, and/or LAMBRA bid preferences, the Bidder's Summary form must be completed and signed by the Bidder for each requested preference. The purpose of this form is to give the Evaluators a tool to assess the total Bidder employee labor hours required to complete the contract either inside or outside the preference areas. Refer to the following website link to obtain the appropriate form:

www.documents.dgs.ca.gov/pd/edip/bidsum1001.pdf

5.15 MANUFACTURER'S SUMMARY

If the Bidder requests EZA, TACPA, and/or LAMBRA bid preferences, the completed Manufacturer's Summary form must be signed by both the manufacturer and the Bidder to be eligible for the preferences. The purpose of this form is to give the Bidder and the Evaluators a tool to assess the total manufacturing employee labor hours required to complete the contract either inside or outside the preference areas.

www.documents.dgs.ca.gov/pd/dispute/mfgsum1001.pdf

5.16 ADMINISTRATIVE REQUIREMENTS

5.16.1 PRIME CONTRACTOR RESPONSIBILITY

It will be mandatory for the bidder to act as prime contractor for the entire contract period. The State will consider the prime contractor to be the sole point of contact with regard to all contractual matters, including deliverable products, payment for services rendered, and liability. The State will not be liable for payments of any kind until the requirement is met; as specified in Request for Offer (RFO) and resulting Statement of Work (SOW), payment will be made based on deliverables and payment schedule set forth in the RFO and SOW.

Bidder agrees to all terms of this section? Yes_____No_____

5.16.2 SUBCONTRACTOR

Any subcontractor that the bidder chooses to use in fulfilling the requirements of this RFP, and which is expected to receive more than ten (10) percent of the value of the contract, must also meet all Administrative and Technical Requirements of the RFP.

Bidder agrees to all terms of this section? Yes_____No_____

5.16.3 AMENDMENT

Any MPA executed as a result of this RFP, may be amended, consistent with the terms and conditions of the original solicitation and by mutual consent of both parties, subject to the approval by DGS under Public Contract Code 12100.

Bidder agrees to all terms of this section? Yes_____No_____

Added Costs

If a subsequent contract from this MSA allows for travel costs, reimbursement for contractor's personnel for travel, per diem, lodging, etc. shall not exceed State rates current at the time of order placement as defined in the Department of Personnel Administration Rules 599.615 to 599.635.

Bidder agrees to all terms of this section? Yes_____No_____

5.16.4 EQUIPMENT

All equipment offered must be new and the latest model in current production. USED, SHOPWORN, REFURBISHED, DEMONSTRATOR, PROTOTYPE OR DISCONTINUED MODELS ARE NOT ACCEPTABLE.

Bidder agrees to all terms of this section? Yes____No____

5.16.5 BID REJECTION

A Final Bid may be rejected if it is conditional or incomplete, or if it contains any alterations of form or other irregularities, of any kind, in accordance with Section 2, Paragraph 2.3.6.d, Errors in the Final Proposal. Deviation from terms and conditions previously approved for this RFP may be cause for rejection of the Bid. **BIDDERS SUBMITTING CONDITIONAL BIDS MAY BE DISQUALIFIED.**

Bidder agrees to all terms of this section? Yes____No____

5.16.6 NOTICE OF NON-GUARANTEED OF ORDERS

Bidders must be aware that the State makes no guarantee of orders through this RFP. There is no minimum amount of orders that bidders can expect. In addition, bidders must understand that some contractors on the eventual MPA may get more orders than others, and some may not get any orders at all.

Bidder agrees to all terms of this section? Yes____No____

5.17 CERTIFICATION TO DO BUSINESS IN THE STATE OF CALIFORNIA

All Corporations, Limited Liability Companies (LLC's) and Limited Partnerships (LPs) must be registered and in Active status with the California Secretary of State (SOS) to be awarded a contract. The Secretary of State Certificate of Status must be included with the proposal by the date listed in the Key Action Dates. The Secretary of State may be contacted as follows:

California Secretary of State
Division of Corporate Filing and Services
1500 Eleventh Street, Third Floor
Sacramento, CA 95814-5701
Certification Unit: 916-657-5251

The required document may also be obtained through the following web site:
<http://kepler.ss.ca.gov>.

Bidder agrees to all terms of this section? Yes____No____

5.18 FEDERAL DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION

Expenditures from the MPA may involve Federal funds. The Federal Department of Labor requires all State agencies which are expending Federal funds to have in the contract file a certification by the contractor that it has not been debarred nor suspended from doing business with the Federal government. See Exhibit 5-F.

Bidder agrees to all terms of this section? Yes_____No_____

5.19 PAYEE DATA RECORD, STD. 204

The bidders awarded a contract as a result of this solicitation (or MPA) will be required to sign the Standard Form 204 (Payee Data Record) before contract award. **The form can be found at:**

<http://www.documents.dgs.ca.gov/osp/pdf/std204.pdf>

Bidder agrees to all terms of this section? Yes_____No_____

EXHIBIT 5-A
WORKERS' COMPENSATION CERTIFICATION

The undersigned in submitting this document hereby certifies the following:

I am aware of the provisions of Section 3700 of the California Labor Code which requires every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with such provisions before commencing the performance of the work of this contract.

Signature

Date

Name and Title (Print or Type)

Street Address

Firm Name

City, State ZIP

EXHIBIT 5-B
CONFIDENTIALITY STATEMENT

As an authorized representative and/or corporate officer of the company named below, I agree that all persons employed by this company or subcontracted by this company will adhere to the following policy:

All information belonging to the State or local Agencies is considered sensitive and/or confidential and cannot be disclosed to any person or entity that is not directly approved to participate in the work required to execute this MPA.

I certify that I will keep all information, including information concerning the planning, processes, development or procedures of the MPA, confidential and secure. I will not copy, give or otherwise disclose such information to any other person unless the 9-1-1 Office has on file a confidentiality agreement signed by the other person, and the disclosure is authorized and necessary to the MPA. I understand that the information to be kept confidential includes, but is not limited to, specifications, administrative requirements, and terms and conditions, and concepts and discussions as well as written or electronic materials pertaining to government agencies and/or private citizens that call 9-1-1. I further understand that if I leave this project before it ends, I must still keep all project information confidential. I agree to follow any instructions provided by the MPA relating to the confidentiality of information.

I fully understand that any unauthorized disclosure I make may be a basis for civil or criminal penalties and/or disciplinary action (for state employees). I agree to advise the contract manager immediately in the event of an unauthorized disclosure, inappropriate access, or loss of data.

All materials provided for this MPA, except where explicitly stated will be promptly returned or destroyed, as instructed by an authorized agency representative. If the materials are destroyed and not returned, a letter attesting to their complete destruction which documents the destruction procedures must be sent to the contract manager at the 9-1-1 Office before payment can be made for services rendered. In addition, all copies or derivations, including any working or archival backups of the information, will be physically and/or electronically destroyed within five (5) calendar days immediately following either the end of the contract period or the final payment, as determined by the 9-1-1 Office.

All personnel assigned to this project shall be provided a confidentiality and non-disclosure statement and will be expected to sign and return it to the representative listed below before beginning work on this project.

Representative Signature

Date

PLEASE TYPE/PRINT:

Representative Name: _____

Representative Title: _____

Representative Phone: _____

Company Name: _____

Company Address: _____

EXHIBIT 5-C RESOURCES AND INFORMATION

For questions regarding bid documentation requirements, **contact the contracting official at the awarding department for this solicitation.** The Department of General Services, Procurement Division (DGS-PD) publishes a list of trade and focus publications to assist bidders in locating DVBEs for a fee. To obtain this list, please go to <http://www.dgs.ca.gov/pd/Resources.aspx>, select Small Business and Disabled Veterans Business Enterprises and then select:

- [DVBE Trade Paper Listing](#) (Excel)
- [DVBE Focus Paper Listing](#) (Excel)

U.S. Small Business Administration (SBA):

Use the Central Contractor Registration (CCR) on-line database.

Internet contact only –Database: www.ccr.gov/.

FOR:

Service-Disabled Veteran-owned businesses in California (Remember to verify each DVBE's California certification.)

Local Organizations: Select: [DVBE Local Contacts](#) (New 11/10) (pdf)

FOR:

List of potential DVBE subcontractors

DGS-PD EProcurement

Website: www.eprocure.dgs.ca.gov

Phone: (916)375-2000

Email: eprocure@dgs.ca.gov

FOR:

- SB/DVBE Search
- CSCR Ads
- Click on Training tab to Access eProcurement Training Modules including: Small Business (SB)/DVBE Search

DGS-PD Office of Small Business and DVBE Services (OSDS)

707 Third Street, Room 1-400, West Sacramento, CA 95605

Website:
<http://www.dgs.ca.gov/pd/Programs/OSDS.aspx>

OSDS Receptionist, 8 am-5 pm: (916) 375-4940

PD Receptionist, 8 am-5 pm: (800) 559-5529

Fax: (916) 375-4950

Email: osdchelp@dgs.ca.gov

FOR:

- Directory of California-Certified DVBEs
- Certification Applications
- Certification Information
- Certification Status, Concerns
- General DVBE Program Info.
- DVBE Business Utilization Plan
- Small Business/DVBE Advocates

Commercially Useful Function Definition

California Code of Regulations, Title 2, § 1896.61(l):

The term "DVBE contractor, subcontractor or supplier" means any person or entity that satisfies the ownership (or management) and control requirements of §1896.61(f); is certified in accordance with §1896.70; and provides services or goods that contribute to the fulfillment of the contract requirements by performing a commercially useful function.

As defined in MVC §999, a person or an entity is deemed to perform a "commercially useful function" if a person or entity does **all** of the following:

-
- § Is responsible for the execution of a distinct element of the work of the contract.
 - § Carries out the obligation by actually performing, managing, or supervising the work involved.
 - § Performs work that is normal for its business services and functions.
 - § **Is not further subcontracting a portion of the work that is greater than that expected to be subcontracted by normal industry practices.**
-

A contractor, subcontractor, or supplier will not be considered to perform a commercially useful function if the contractor's, subcontractor's, or supplier's role is limited to that of an extra participant in a transaction, contract, or project through which funds are passed in order to obtain the appearance of disabled veteran business enterprise participation.

EXHIBIT 5-D
CONTRACTOR'S LICENSE INFORMATION

(Installation Services Only)

Bidder shall complete the applicable contractor's license information below in accordance with the Contractor's State License Board, Department of Consumer Affairs. A California C-7 Contractor's license is required before any Bidder can contract business (e.g. submit a bid) which includes the installation of cable and wiring and electrical modification. In addition, if structural modifications are required, a Class B license is required.

CONTRACTOR:

Class _____ License No: _____

Licensee: _____ Expiration Date: _____

SUBCONTRACTOR 1

Class _____ License No: _____

Licensee: _____ Expiration Date: _____

Relationship of Licensee to Contractor: _____

SUBCONTRACTOR 2

Class _____ License No: _____

Licensee: _____ Expiration Date: _____

Relationship of Licensee to Contractor: _____

(Use additional sheets if necessary.)

EXHIBIT 5-E
CERTIFICATE OF USE TAX COLLECTION FOR SELLER'S PERMIT

Complete this form to describe the Bidder and any affiliate of the Bidder (person or entity that is controlled by, or is under common control of, the Bidder through stock ownership or other affiliation) that makes sales for delivery into California.

In the event that the Bidder or any such affiliate has registered for but has not yet been issued a Seller's Permit by the California State Board of Equalization:

Enter N/A in the "Seller's permit Number Column, and
Attach to this form a copy of the Certificate of Registration issued by the State Board of Equalization.

BUSINESS ENTITY NAME	SELLER'S PERMIT NUMBER

EXHIBIT 5-F
CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND
VOLUNTARY EXCLUSION LOWER TIER COVERED TRANSACTIONS

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 29 CFR Part 98, Section 98.510, Participant's responsibilities. The regulations were published as Part VII of the May 26, 1988 Federal Register (pages 19160-19211).

**(BEFORE COMPLETING CERTIFICATION, READ THE INSTRUCTIONS ON THE
NEXT PAGE WHICH ARE AN INTEGRAL PART OF THE CERTIFICATION)**

- (1) The prospective recipient of Federal assistance funds certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective recipient of Federal assistance funds is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Name and Title of Authorized Representative

Signature

Date

Instructions for Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower Tier Covered Transactions

1. By signing and submitting this proposal, the prospective recipient of Federal assistance funds is providing the certification as set out below.
2. The certification in this class is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective recipient of Federal assistance funds knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the Department of Labor (DOL) may pursue available remedies, including suspension and/or debarment.
3. The prospective recipient of Federal assistance funds shall provide immediate written notice to the person to whom this proposal is submitted if at any time the prospective recipient of Federal assistance funds learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective recipient of Federal assistance funds agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the DOL.
6. The prospective recipient of Federal assistance funds further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may but is not required to check the List of Parties Excluded from Procurement or Non-procurement Programs.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the DOL may pursue available remedies, including suspension and/or debarment.